

July 28, 2006

**DWD ISSUANCE 02-06**

**SUBJECT:** Use of WIA Title I Financial Assistance to Employ or Train Participants in Religious Activities When the Assistance is Provided Indirectly

1. **Purpose:** To Provide Guidance on Permitting the Use of Workforce Investment Act (WIA) Title I Financial Assistance Consistent with the U.S. Department of Labor's (DOL) Policy
2. **Background:** President George W. Bush implemented Executive Order 13279 in 2001. This executive order required federal agencies to review and revise their policies to ensure that faith-based and community-based organizations are able to apply and compete equally with other eligible organizations for federal financial assistance. In response to this executive order, DOL implemented several changes to its regulations, including 29 CFR part 2, subpart D. DOL developed the Training and Employment Guidance Letter (TEGL 1-05, dated July 6, 2005) which establishes the new rules to allow the use of WIA Title I financial assistance for religious training and employment activities. On October 12, 2005, the Missouri Training and Employment Council (MTEC) approved a policy that encourages local Workforce Investment Boards to partner with faith-based organizations to provide services, when appropriate.
3. **Substance:** The Division of Workforce Development (DWD), which is the official grant recipient for the state of Missouri's WIA Title I funding allocation, hereby acknowledges that these funds can be used to employ or train participants in religious activities, as long as this assistance is provided indirectly.

Indirect financial assistance occurs when participants are given a genuine and independent private choice among training providers or program options and can freely elect, from among such options, to receive training in religious activities when these activities satisfy the requirements of the program. Individual training accounts and other types of support that provide participants with real choices would meet this requirement.

To ensure that a genuine and independent private choice is provided, each participant must be offered at least one option to which the participant has no religious objection. As a reminder, training services must be provided in a manner that maximizes an informed consumer choice. In addition, an organization must not be favored for, or denied recognition as, an eligible training provider or other provider solely on account of religion.

4.     **Action:**       Local Workforce Investment Boards are encouraged to adopt a similar policy regarding the use of WIA Title I financial assistance.
- DWD will be responsible for monitoring compliance with this policy and providing training on the provisions of 29 CFR part 2, subpart D, which defines the responsibilities of faith-based organizations and other entities that receive or administer DOL support under current law, including state and local governments.
5.     **Contact:**       Questions or comments regarding this issuance should be addressed to Clinton Flowers at (573) 526-8261.



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Roderick Nunn, Director

RN/AH/CB

- c:     DWD Admin Group  
      DWD Central Office Managers  
      DWD Regional Managers  
      WIB Directors  
      WIB Chairs  
      Don Eisinger